

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Christopher Roller,

Civil No. 10-2366 (DWF/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Ridge Point Dental Clinic,

Defendant.

Christopher Roller, *Pro Se*, Plaintiff.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 6, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed *in forma pauperis*, (Doc. No. [2]), is **DENIED**.
2. This action is summarily **DISMISSED** for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(h)(3).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 23, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge